

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VICTOR MANUEL GOMEZ CRUZ,
Petitioner,
v.
WARDEN,
Respondent.

No. 2: 23-cv-0664 KJN P

ORDER

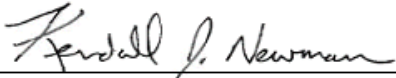
Petitioner is federal prisoner, proceeding without counsel, with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On July 3, 2023, respondent filed a motion to dismiss. (ECF No. 8.) Petitioner did not oppose the motion.

Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” Id. Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” Id.

Good cause appearing, IT IS HEREBY ORDERED that, within thirty days from the date of this order, petitioner shall file an opposition, if any, to the motion to dismiss. Failure to file an opposition will be deemed as consent to have the: (a) action dismissed for lack of prosecution; and (b) action dismissed based on petitioner’s failure to comply with these rules and a court order.

Said failure shall result in a recommendation that this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

Dated: August 2, 2023


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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